

- 16 in that the roller element (3) is journaled so as to be rotatable through an angular range
17 and is prestressed against a stop under spring force.

REMARKS

Formal matters

Please note: the specification refers to the claims by claim number. Upon allowance, if the numbering of the claims is changed, the specification will need to be changed also.

The specification previously incorporated by reference a foreign patent document published in German. The specification has been changed to refer to the corresponding U.S. patent number.

The title has been changed to make it more descriptive of the invention.

The abstract has been amended as requested by the Examiner.

Claims 1 and 4 have been amended to correct the objections under section 112.

Applicants respectfully submit that the rejections ought better to have been phrased as objections, rather than rejections, because the changes requested were not necessary to an understanding of the claim, but merely relate to claim drafting tradition. Applicants respectfully submit that the scope of the claims has not been changed by the amendments.

The holding of allowable subject matter claim 4 is gratefully acknowledged. Claims 3 and 4 been amended to incorporate the limitations of claim 1. This should make at least claim 4 allowable. Applicants respectfully submit that the scope of these claims has not been changed by the amendments.

Art rejections

The art rejections are respectfully traversed.

With respect to claim 1, the Examiner has said that reference numeral 23 in Kato indicates a loading mechanism. As far as Applicants can tell, based on the sections referred to by the Examiner, element 23 is described in column eleven, lines 22-26 of Kato. This section indicates that element 23 is a driving mechanism including a turntable. Accordingly the levers 24 and 25 appear to be related to a driving mechanism for spinning the disc, not a load/unload mechanism, i.e. not for transporting the disk. By contrast, Applicants' claim 1 recites at least one movable scanning lever included in a mechanism for loading and unloading the information plate. Applicants respectfully submit that detection mechanisms in a driver that spins an information plate, per Kato, fail to teach or suggest detection mechanisms in a load/unload mechanism per Applicants' claim 1.

With respect to the rejection of claim 3, the combination of Kato and Kawasaki seems far-fetched. Even though both concern a disc reading device, Kawasaki teaches how to determine the position of the optical head, while Kato relates to position of a disc. Applicants respectfully submit that a person skilled in the art of designing a loading mechanism for an information plate, per claim 3, would not combine these two documents.

Further with respect to claim 3, the Examiner points to the optical position sensor 10b of Kawasaki. This sensor is said, in the portion of Kawasaki pointed to by the Examiner, to be a linear encoder of an optical type in the section referred to by the Examiner. However claim 3 recites "an electronic encoder switch" [emphasis added]. Applicants are unable to find anywhere in Kawasaki where the element 10b is said to operate as a switch.

Accordingly, Applicants respectfully submit that the Examiner has not made a prima facie case against claims 1 and 3.

Applicants respectfully submit that they have answered each issue raised by the Examiner and that the application is accordingly in condition for allowance. Allowance is therefore respectfully requested.

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first class mail in an envelope addressed to	
Mail Stop _____ Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450	
On _____	(date)
By _____	(signature)

Respectfully submitted,

By *A. E. Barschall*
Anne E. Barschall, Reg. No. 31,089
Tel. no. 914-332-1019
Fax no. 914-332-7719
May 27, 2003

MARKED UP VERSION OF CLAIMS

1. (AMENDED) A device for reading information stored on an information plate (1) and/or writing information on an information plate (1), comprising a loading mechanism for loading and unloading the information plate (1),

✓ characterized

in that the loading mechanism comprises at least one movable scanning lever (5) for detecting [the] a position of the information plate (1), which lever is designed to contact the plate edge of the information plate (1), and
in that a position sensor is provided for supplying position information on the position of the information plate (1) in dependence on the position of the scanning lever (5).

3. (amended) [A device as claimed in claim 1] A device for reading information stored on an information plate (1), and/or writing information on an information plate (1), comprising a loading mechanism for loading and unloading the information plate (1), including at least one movable scanning lever (5) for detecting a position of the information plate (1), which lever is designed to contact the plate edge of the information plate (1), and a position sensor for supplying position information on the position of the information plate (1) in dependence on the position of the scanning lever (5).

characterized

8
in that the position sensor is constructed as an electronic encoder switch, and

in that the scanning lever (5) changes the code of the encoder switch in dependence on the position of the information plate (1).

4. (amended) [A device as claimed in claim 1] A device for reading information stored on an information plate (1), and/or writing information on an information plate (1), comprising a loading mechanism for loading and unloading the information plate (1), including at least one movable scanning lever (5) for detecting a position of the information plate (1), which lever is designed to contact the plate edge of the information plate (1), and a position sensor for supplying position information on the position of the information plate (1) in dependence on the position of the scanning lever (5),

characterized

in that the loading mechanism comprises two guides arranged on pivoting arms (4a, 4c) with grooves for the edge of the information plate (1),

in that one of the guides is constructed as a transport wheel (2) which [can be driven] is drivable into rotation and the other guide as a roller element (3),

in that the pivoting levers (4a, 4c) are coupled to one another,

in that the transport wheel (2) and the roller element (3) [can be pressed] are pressable against the plate edge for the purpose of loading and unloading the information plate (1), and

in that the roller element (3) is journaled so as to be rotatable through an angular range and is prestressed against a stop under spring force.

MARKED UP VERSION OF ABSTRACT

[The invention relates to a] A device for reading information stored on an information plate (1), and/or for writing information on an information plate (1), [comprising] includes a loading mechanism for loading and unloading the information plate (1). [

The information is characterized in that the] The loading mechanism [comprises] includes at least one movable scanning lever (5) for detecting the position of the information plate (1)[, which]. The lever is designed for making contact with the plate edge of the information plate (1)[, and in that a] A position sensor is provided for supplying position information on the position of the information plate (1) in dependence on the position of the scanning lever (5).

[Fig. 1]

MARKED UP VERSION OF CHANGES TO SPECIFICATION

Page 3, lines 11-13

Such a loading mechanism is described in detail in [the publication EP 0742558]
U.S. Patent number 6,463,025 B1, which is expressly deemed to be incorporated into the
disclosure of the present application.